

SENATE BILL No. 46

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-47-9.5.

Synopsis: Air guns on school property. Makes it a Class B misdemeanor for a person to possess an air gun: (1) in or on school property; (2) in or on property that is being used by a school for a school function; or (3) on a school bus; unless the person is authorized by the school to possess the air gun.

Effective: July 1, 2006.

Waltz

January 9, 2006, read first time and referred to Committee on Corrections, Criminal, and Civil Matters.

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Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

SENATE BILL No. 46

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-47-9.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2006]:

4 **Chapter 9.5. Possession of Air Guns on School Property and**
5 **School Buses**

6 **Sec. 1. This chapter does not apply to a person who is authorized**
7 **by a school to possess an air gun:**

8 (1) in or on school property;

9 (2) in or on property that is being used by the school for a
10 school function; or

11 (3) on a school bus.

12 **Sec. 2. As used in this chapter, "air gun" means an air rifle, an**
13 **air pistol, a pellet gun, a paintball gun, a BB gun, or another**
14 **similar device that:**

15 (1) propels a projectile:

16 (A) by releasing compressed air, carbon dioxide, or
17 another gas; and

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1 **(B) at a speed greater than one hundred (100) feet per**
2 **second; and**
3 **(2) is not a firearm.**
4 **Sec. 3. A person who knowingly or intentionally possesses an air**
5 **gun:**
6 **(1) in or on school property;**
7 **(2) in or on property that is being used by a school for a**
8 **school function; or**
9 **(3) on a school bus;**
10 **commits a Class B misdemeanor.**

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